



Department of Justice

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PUERTO RICO ATTORNEY SENTENCED TO 33 MONTHS IN PRISON FOR OBSTRUCTION OF JUSTICE

WASHINGTON — A San Juan attorney was sentenced to serve 33 months in prison for obstruction of justice in relation to federal investigations involving a kickback scheme to defraud a fast food chain operator, the Justice Department announced today. The attorney was also sentenced to 120 hours of unpaid community service and three years of supervised release.

Eugenio A. Guardiola Ramirez (Guardiola) was sentenced today in U.S. District Court in Puerto Rico by Judge Hector Laffitte for his involvement in a conspiracy to obstruct justice and obstruction of justice in connection with federal investigations by the U.S. General Services Administration, Office of Inspector General (GSA-OIG), and a federal grand jury into a kickback scheme to defraud Tricon Restaurants International. Tricon, which was recently purchased by Encanto Restaurants, owns and operates fast food restaurants in Puerto Rico.

“The Antitrust Division will hold accountable those who seek to impede the federal investigative and judicial process,” said Thomas O. Barnett, Assistant Attorney General in charge of the Department’s Antitrust Division. “Today’s sentence demonstrates that commitment.”

Guardiola was indicted on Jan. 11, 2006 and convicted on March 22, 2006 for his role in the conspiracy. The indictment charged that Guardiola attempted to conceal the true nature of the kickback payments by attempting to persuade witnesses to provide false information about the kickback payments to the grand jury and the GSA-OIG. The indictment also charged that Guardiola drafted a phony services contract to conceal the true nature of the kickback payments.

Between March and May 2004 Guardiola interfered with and obstructed the GSA-OIG and federal grand jury investigations into illegal kickback payments made by his clients, Gate Engineering Corporation, an electrical contractor, and its president, Albith Colón, to Jorge Luis Matos Burgos (Matos), then a Tricon employee, the Department said.

On May 19, 2005, Gate and Colón pleaded guilty to conspiring to commit mail fraud in connection with the scheme to defraud Tricon and to making illegal kickback payments to Matos in exchange for Matos awarding Gate more than \$1 million worth of electrical contracts on behalf of Tricon. Gate and Colón are awaiting sentencing.

On Aug. 18, 2005, Matos was convicted at trial of the same charge and on November 15, 2005, he was sentenced to serve 12 months and one day in jail and two years of supervised release.

Anyone with information concerning bid rigging or kickbacks in Puerto Rico should contact the Atlanta Office of the Department of Justice, Antitrust Division at 404-331-7100.

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